

# Child Safeguarding Record Keeping Policy and Procedures

## Aim

Casey Grammar School has developed this Child Safeguarding Record Keeping Policy and Procedures to provide information and direction on our approach to keeping records related to for child safety. It forms part of the School's procedures, practices, decision-making processes and ultimately the School's culture with respect to child safety.

The School's Child Safeguarding Record Keeping Policy has been approved and endorsed by the School's Board and is regularly reviewed by the Board.

## Objectives

CSV Limited and Casey Grammar are committed to ensuring the safety, wellbeing, and participation of all children and young people under our care.

The CSV Board, the School's governing authority, has approved the School's Child Safeguarding Record Keeping Policy and Procedures, as set out in the Policy Administration section, below.

Standard 2 of the Victorian Child Safe Standards (and Standard 3 of the CSV Child Safeguarding Standards Framework), as well as multiple Victorian child safe organisations and child protection laws and regulations, all require the School to keep (and for Staff and Volunteers to understand their obligations to make) a variety of records related to child safeguarding.

To implement this Standard, Ministerial Order 1359 requires the CSV Board to create, maintain and dispose of records relevant to child safety and wellbeing in accordance with Public Record Office Victoria's Record Keeping Standards, and to develop a policy or statement that details the processes that the School has in place to meet these Standards.

Ministerial Order 1359 also requires the CSV Board to ensure that Staff and relevant Volunteers understand their record keeping obligations. In particular, it must ensure that "**school staff**" who are engaged in "**child-connected work**" receive guidance on their record keeping obligations at least annually. Where appropriate to the nature and responsibilities of their role, **Volunteers** who are engaged in "child-connected work" must also receive guidance on relevant topics, including – if reasonable and necessary – on any record keeping obligations.

This Policy and its Procedure set out the School's expectations, systems and procedures for creating and managing records relevant to the Child Safeguarding Program. They set out the School's processes for creating, maintaining and disposing of those records that are relevant to child safety and wellbeing in accordance with Public Record Office Victoria's Record Keeping Standards.

Our **Records Management Policy** details the general processes used at the School to meet all of the Public Record Office Victoria's Record Keeping Standards, including how we create and store records generally.

## Statement of Commitment to Child Safety

Casey Grammar School is committed to providing a child safe and child friendly environment, where children and young people are safe and feel safe to actively participate in decisions that affect their lives. At Casey Grammar School we have a zero tolerance for child abuse and are committed to acting in children's best interests and keeping them safe from harm. The School regards its child safety responsibilities with the utmost importance and as such, is committed to providing the necessary resources to ensure compliance with all relevant child safety laws and regulations and maintain a child safe culture.

# Child Safeguarding Record Keeping Policy and Procedures

## Principles

Effective record keeping about child safeguarding at the School is one of the School's key strategies in the management of its child safe organisation and child protection obligations, including the fulfillment of our duty of care.

It is through such record keeping that the School can ensure that, should there ever be a need for evidence of the School's child safe culture, including precautions and preventative measures taken in response to the risk of child abuse or other harm, or of the School's response to particular child safety incidents or concerns, the School has well-documented and easily-accessible records.

## Scope

This Policy and its Procedures apply to all Staff and, where indicated in the Policy, to relevant Volunteers and Contractors.

They apply to all School environments including physical, virtual and online environments, and on-site and off-site School grounds (e.g. extra-curricular activities such as sport and other programs, camps and excursions, interstate and overseas).

## Definitions

Definitions of particular terms used in this Policy and its Procedures can be found in **Child Safeguarding Program Definitions**. Of particular importance to the Child Safeguarding Recruitment policies and procedures are the following additional key definitions:

### Child-connected work

For the purposes of Ministerial Order 1359, "child-connected work" is defined as work authorised by the school governing authority environment while children are present or reasonably expected to be present".

Under this definition, all **staff members** are engaged in child-connected work.

Under this definition, many, but not all, Volunteers and Contractors are engaged in child-connected work. Volunteers and Contractors who are not adults or who do not work when children are present or expected to be present are NOT engaged in child-connected work.

### Child Safety Incident or Concern

The phrase "child safety incident or concern" refers to all of the different definitions of child abuse or other harm in various Victorian legislation, as well as breaches of the Child Safety Code of Conduct.

For a full definition of exactly what is included as a "child safety incident or concern" refer to the definition in **Responding and Reporting Obligations Policy and Procedures**.

### Records Relevant to Child Safeguarding

Records relevant to child safeguarding include not just records of child safety incidents or concerns and the School's response, but also a number of other different types of records, such as:

- human resources records about recruitment, screening, supervision and training of Staff, Volunteers and Contractors
- records that can establish the whereabouts of children, Staff, Volunteers and Contractors on particular dates and times

# Child Safeguarding Record Keeping Policy and Procedures

- records of reviews/audits of the School's child safeguarding policies and practices.

**School Staff** "School staff" is a particular phrase used in Ministerial Order 1359, and is defined as "an individual working in a school environment who is:

- directly engaged or employed by a school governing body\*
- a contracted service provider (whether or not a body corporate or any other person is an intermediary) engaged by a school governing body to perform child-related work; or

*\*The engagement or employment of Staff and Contractors at the School (other than the Principal and the Executive Director Corporate Services) is undertaken by the School on behalf of the CSV Board*

This means that, at the School, **all staff members, as well as Direct Contact Contractors** and or an employee or officer of a religious body associated with the School, are "school staff", no matter their age or the frequency of engagement.

**Staff/Staff Member** The terms "Staff" and "staff member" include all teaching and non-teaching Staff, including the Principal. They include all those employed by the School on a permanent, temporary or casual basis.

Although Consultative Committee members are technically Volunteers, they are considered "Staff" for the purposes of this Policy and the Child Safeguarding Program.

**Volunteers and Contractors** A Volunteer is someone who performs work for the School in a School environment without remuneration or reward. Volunteers may be family members of students, or from the wider School or local community. Volunteers are not "school staff" for the purposes of Ministerial Order 1359.

A Contractor is someone engaged by the School to perform specific tasks. Contractors are not employees of the School. However, Contractors who have direct contact with children (see below) are "school staff" for the purposes of Ministerial Order 1359.

The School categorises Volunteers and Contractors as either

**Direct Contact Volunteers/Contractors** Volunteers and Contractors who have direct physical or face-to-face contact with, or who directly communicate with, students (such as volunteers and contractors who are tutors, provide learning support, attend or provide excursions/incursions, assist in music/drama productions and coach sports teams). External Education Providers are considered Direct Contact Contractors. All Direct Contact Volunteers/Contractors who are adults are engaged in both "child-related work" and "child-connected work".

**Regular Volunteers/Contractors** Volunteers and Contractors who assist the School in ways that do not involve direct contact with students (although there could be indirect or incidental contact), and who do this more than seven times per year (such as volunteers working the School's administration office, contracted consultants, regular maintenance workers or cleaners, and caterers for staff events). Regular Contact Volunteers/Contractors are NOT engaged in "child-related work". They are only engaged in "child-connected work" if they are adults and if they work when children are present or expected to be present.

# Child Safeguarding Record Keeping Policy and Procedures

**Casual Volunteers/Contractors** Volunteers and Contractors who assist the School in ways that do not involve direct contact with students (although there could be indirect or incidental contact) or whose services are aimed at the general public, and who do this seven times or less per year (such as volunteers who work on a stall at a School fete or on a barbeque at a sporting event, and one-off emergency maintenance workers). **Casual Contact Volunteers/Contractors are NOT engaged in “child-related work”. They are only engaged in “child-connected work” if they are adults and if they work when children are present or expected to be present.**

## Responsibilities

In addition to relevant roles and responsibilities as set out in Child Safeguarding Responsibilities, certain people have particular responsibilities under this section of the Child Safeguarding Program, which are set out in the **Procedures** below.

### Casey Grammar School’s Policy

#### 1. Records of Child Safety Incidents or Concerns and the School’s Response

##### (i) Where a staff member, Volunteer or Contractor:

- believes on reasonable grounds that a student is in need of protection as a result of physical or sexual abuse, such that a **Mandatory Report to DFFH Child Protection** has been or will be made
- believes on reasonable grounds that a student is in need of protection for any reason or is in need of therapeutic treatment for sexually abusive behaviour, such that a **Non-Mandatory Report to DFFH Child Protection** has been or will be made
- has significant concerns for the wellbeing of a student, such that a **Non-Mandatory Report to DFFH Child Protection** has been or will be made
- believes on reasonable grounds that a sexual offence has been committed against a child, or that student sexual offending has occurred, such that a **Mandatory Report to Police** has been or will be made
- believes that other circumstances exist such that a **Non-Mandatory Report to Police** is required, they **must** make written and dated notes of their observations and concerns to assist in reporting the concerns to DFFH Child Protection) or Police.

For information about when and how to make these external reports, refer to Child Safeguarding (Responding and Reporting Obligations) Policy and Procedures.

- ##### (ii) All other observations of and verbal and written communications about child safety incidents or concerns
- (including notes of observations, student disclosures, meetings and telephone calls) must also be properly documented, regardless of whether or not the child safety incident or concern meets the relevant thresholds for external reporting.



# Child Safeguarding Record Keeping Policy and Procedures

## 2. Records of Working with Children Check Documentation

### *WWC Check Records of Staff and Contractors\**

The School must record electronically, in a consolidated register, the following information for all staff members and relevant Contractors who are required to hold a WWC clearance:

- first name
- family name
- date of birth
- WWC Check Application Receipt Number
- WWC Check Card Number
- date and outcome of WWC clearance verification
- expiry date
- notices sent by Working with Children Check Victoria
- notices provided by the worker.

### *WWC Check Records of Volunteers\**

The School must record (either electronically or in hard copy format) the following information for relevant Volunteers who are required to hold a WWC clearance:

- full name
- date of birth
- WWC Check Application Receipt Number
- WWC Check Card Number
- date and outcome of WWC clearance verification
- expiry date
- notices sent by Working with Children Check Victoria.
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### *Statutory Declarations and Undertakings\**

The School, must keep the following information for Volunteers and Contractors who are required by the School to complete a Statutory Declaration and Undertaking:

- full name
- date of birth
- completed statutory declaration
- completed undertaking

\*Note: For information about which Volunteers and Contractors at the School are required to have a valid WWC clearance and which may be required to complete a Statutory Declaration and Undertaking, refer to our **Working with Children Checks Policy and Procedures**.

# Child Safeguarding Record Keeping Policy and Procedures

### 3. Records of Teacher Registration and VIT Notification

Under our **Teachers' Requirements Policy**, Casey Grammar School maintains a register of the registration status of all teachers at the School. That register includes:

- each teacher's full name
- each teacher's registration number
- the VIT category of registration
- the expiry and renewal date of the teacher's registration
- a record of the date and type of any notifications made to the Victorian Institute of Teaching (VIT) by the School about a registered teacher

For information about notifications to the VIT, refer to **Responding and Reporting Obligations Policy and Procedures**.

### 4. Reportable Conduct Records

When a reportable allegation is made, certain information must be documented throughout the Reportable Conduct investigation process:

- the allegation
- the School's initial response to the person making the allegation, the alleged victim(s) and the employee who is the subject of the allegation
- any communication with the Police or other authorities
- the Investigation Plan, detailing how the investigation is to be carried out
- the Stage One risk assessment
- interviews including details of questions and responses. Details should also include the location of the interview, who was present and start and finish times
- any decisions made, both during and at the conclusion of the investigation, including their rationale, the position and name of the person making the decision and the date the decision was made
- any personal contact, discussions or emails with anyone about the matter (including dates, details of discussions, questions, advice, outcomes, the name of the person making the contact, details of their position and, where appropriate, the reason for the contact)
- the Investigation Report
- the final report for the Commission for Children and Young People (CCYP) that sets out details of the findings in relation to each allegation and the reasons for the findings, the final risk assessment which includes any final decision about the employee and the factors that have been considered and any subsequent action that is to be or has been taken.

For information about the Reportable Conduct Scheme, refer to Child Safeguarding (Responding and Reporting Obligations) Policy and Procedures.

# Child Safeguarding Record Keeping Policy and Procedures

## 5. Other Safeguarding Human Resources Management Records

Casey Grammar School maintains other records related to human resources management, including those related to our **Child Safeguarding Recruitment Policy and Procedures** and **Child Safeguarding Training and Supervision Policy and Procedures**, pursuant to our general Human Resources policies and procedures. These include records in relation to:

- recruitment, screening and suitability assessment
- supervision, performance reviews and professional development
- completion of child safeguarding training
- personnel files.

## 6. Record Keeping about Information Sharing

The School must record the following information when sharing, or responding to a request to share, information about the safety, welfare and wellbeing of a student at School (Information):

- who requested the Information and the date of the request (if any)
- who shared the Information
- why the Information was shared (e.g. whether it was shared pursuant to a statutory or other legal obligation)
- who the Information was shared with
- whether informed consent was sought from, and if so whether it was provided by, the student and/or their parent/carer
- the approval of the Principal to share the Information
- the date that the Information was shared.

For more information, refer to our Sharing Information Relating to a Student's Safety or Wellbeing Policies and Procedures.

## 7. Documenting Other Child Safeguarding Actions (Institutional Duty of Care)

Due to section 91 of the Wrongs Act 1958 (Vic) (Wrongs Act) (explained in the **Procedures**, below), Casey Grammar School must maintain accurate and comprehensive records not only of child safety incidents and concerns involving School Staff, Volunteers and Contractors, but also of:

- actions taken in response (including systemic reviews and resulting improvements)
- Bi annual reviews of and improvements to our child safeguarding policies, procedures, work systems and strategies, as these could be required as evidence in relation to possible future negligence claims against the School for damages in respect of child physical or sexual abuse.

# Child Safeguarding Record Keeping Policy and Procedures

## Procedure

### 1. Records of Child Safety Incidents or Concerns and the School's Response

Documenting observations and communications about all child safety incidents or concerns, including those that do not meet the relevant threshold for external reporting, ensures that:

- all information about individual students can be taken into account should future child safety incidents or concerns arise
- any patterns that might arise from child safety incidents or concerns can inform reviews of our Child Safeguarding Program.

#### *How to Document the Child Safety Incident or Concern*

The School requires all staff members, Volunteers and Contractors to use:

- [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#) to record all child safety incidents and concerns (other than student sexual offending), including observations, beliefs, suspicions, disclosures or allegations of child abuse or other harm, regardless of whether the alleged perpetrator may be a parent/carer, other student, staff member, Volunteer, Contractor or any other person
- the [PROTECT Student Sexual Offending Record Keeping Template](#) to record all observations, beliefs, suspicions, disclosures or allegations of student sexual offending.

For Volunteers the Deputy Principal may complete the form on their behalf.

For Contractors the Executive Director Corporate Services may complete the form on their behalf.

These Template forms are provided by the DET and Child Protection for all Victorian schools and are made available on the School's internal intranet and in hard copy at the School.

The following information may assist when completing the form:

- Not all of the sections of the forms will be able to or will need to be filled out for every child safety incident or concern. Some of the information will already be held in the student's record and need not be repeated. Other parts of the forms may not apply to each situation.
- It is not staff members', Volunteers or Contractors' role to quiz the child or the person making the disclosure or allegation in order to complete the forms. They should only record what information is observed or offered during the incident, disclosure or allegation and then report the matter to the Deputy Principal - Wellbeing or the Principal and any relevant external agencies in line with legal obligations.
- All records should include dates and times and enough detail to record key observations or conversations, especially those relating to a student's disclosure.

All completed forms must be given to the Deputy Principal - Wellbeing or the Principal, or where the allegation involves the Principal, the CSV Chair of Board.



# Child Safeguarding Record Keeping Policy and Procedures

Any other notes and records obtained or made by Staff, Volunteers or Contractors regarding child safety incidents or concerns should also be given to the Principal or a Deputy Principal / Head of Wellbeing. For example, these may include:

- handwritten notes taken during a disclosure by a student
- copies of any written reports made to the Police or external bodies about the matter
- if the allegation includes claims of inappropriate online activity, any digital copies of correspondence between the student and the person or staff member who is the subject of the allegation.

## *How to Document the School's Response*

The Deputy Principal - Wellbeing or the Principal, or where the allegation concerns the Principal, the CSV Chair of Board, will:

- in conjunction with the relevant staff member, Volunteer or Contractor if required, record on the relevant form the various responses of the School as they occur
- complete the 'Process of Review' section of the relevant form between four to six weeks after an incident, suspicion or disclosure of abuse.

## *Record Maintenance*

The School maintains records of these forms indefinitely.

The Deputy Principal - Wellbeing is responsible for keeping all records relating to child safety incidents or concerns, including records of allegations, investigations and findings made under the Child Safeguarding Program, up to date and secure.

Records are located in the Student's Pastoral Care notes SETQA.

When the child safety incident or concern relates to an allegation against a staff member, Volunteer or Contractor (including incidents, complaints or allegations of a breach of the Child Safeguarding Codes of Conduct), records may also be maintained as part of our general Human Resources Management records.

## **2. Records of Working with Children Check Documentation**

It is the responsibility of the HR Manager to verify and record the WWC clearance status of all Staff and relevant Volunteers/Contractors.

It is the responsibility of the HR Manager to maintain a record of all Volunteers and Contractors required to complete the Statutory Declaration and Undertaking, and of the provision of these documents.

The School maintains these records for at least 50 years.

# Child Safeguarding Record Keeping Policy and Procedures

### 3. Records of Teacher Registration and VIT Notifications

It is the responsibility of HR Manager to ensure that the register of teachers is kept up to date with relevant notifications.

The School maintains these records for at least 50 years.

### 4. Reportable Conduct Records

Where possible, Reportable Conduct records should be verbatim, verified, signed and dated by all involved.

All records created in accordance with our Reportable Conduct Policies and Procedures, including all allegations, outcomes of internal investigations and decisions to make or not make a Reportable Conduct report to the CCYP are maintained by the The Principal and stored in SETQA for students and the HR Staff file

These records are kept on a file that is separate to the employee's personnel file.

The School maintains these records indefinitely.

### 5. Other Child Safeguarding Human Resource Management Records

The School creates and maintains electronic records of all child safeguarding training completed by Staff and relevant Volunteers and Contractors through CompliLearn.

It is the responsibility of the HR Manager to record and maintain (electronically or hard copy format) all other records relating to child safeguarding human resources management.

The School maintains these records for at least 50 years.

### 6. Records about Information Sharing

Whenever a request for Information is made to the School or the School otherwise shares Information, the Risk & Compliance Manager must complete the Information Sharing Form.

This form enters the data in our Information Sharing Register in CompliSpace Assurance.

All records created in accordance with the Sharing Information Relating to a Student's Safety or Wellbeing Policies and Procedures are maintained by the Deputy Principal - Wellbeing and stored electronically in CompliSpace Assurance.

The School maintains these records indefinitely.

### 7. Documenting Other Child Safeguarding Actions (Institutional Duty of Care)

Section 91 of the Wrongs Act imposes a duty of care on the School, as a child-related organisation, to take reasonable precautions to:

# Child Safeguarding Record Keeping Policy and Procedures

- prevent the physical or sexual abuse of a child under its care, supervision or authority
- by an individual associated with the School.

If a victim of physical or sexual abuse, alleged to have occurred at the School or to have involved School Staff, Volunteers or Contractors, brings a negligence claim against the School, a court will presume that the School breached its duty of care unless the School can prove that it took reasonable precautions to prevent the abuse.

Whether or not the School has taken reasonable precautions to prevent the physical or sexual abuse of students will be assessed by the court in accordance with considerations set out in the Wrongs Act and case law.

The following records may assist in demonstrating reasonable precautions taken by the School to prevent the physical or sexual abuse of its students:

- records that document actions taken by the School in response to specific child safety incidents and concerns (refer to Records of Child Safety Incidents or Concerns and the School's Response and Reportable Conduct Records, above)
- records that document child safeguarding training provided to and completed by Staff and relevant Volunteers and Contractors (refer to Child Safeguarding Training and Supervision Policy and Procedures)
- records that document the implementation of the School's Child Safeguarding Risk Management Policy and Procedures
- records that document reviews and improvements of our child safeguarding policies, procedures, work practices and systems (refer to Regular Reviews and Continuous Improvement Policy and Procedures).

The School maintains these records for at least 50 years.

## Implementation

This Policy and Procedure are made available to all Staff, Volunteers, and Contractors, via the School's intranet. The policies and procedures in its subsections are included in induction training and in ongoing refresher training for Staff and relevant Volunteers and Contractors. For more information, refer to **Child Safeguarding Training Policy and Procedures**.

These policies and procedures are made available to parents/carers, students and the wider School community in summary in our Child Safety and Wellbeing Policy and Procedures as well as the School newsletter.

They are also available in hard copy by request.

# Child Safeguarding Record Keeping Policy and Procedures

## **Breach of this Child Safeguarding Record Keeping Policy and Procedures**

Casey Grammar School enforces this Policy and its Procedures. In the event of any non-compliance, we will instigate a review that may result in a range of measures including (depending on the severity of the breach):

- remedial education
- counselling
- increased supervision
- the restriction of duties
- appointment to an alternate role
- suspension
- in the case of serious breaches, termination of employment, contract, or engagement.

For more information, refer to Compliance and Breach (Child Safeguarding) Policy and Procedures.

## **Policy Review**

A review of the Child Safeguarding Record Keeping Policy and Procedures (Child Safeguarding) is conducted every 2 years or earlier if required, such as due to changes in legislation.

The Casey Grammar School Principal is responsible for ensuring that this Policy is reviewed and updated as needed and for approving this Policy.

## **Source of Obligation**

Casey Grammar School's Child Safeguarding Record Keeping Policy and Procedures (Child Safeguarding) implements:

- Victorian Child Safe Standards, Standard 2
- Ministerial Order 1359, Clauses 6 and 12

## **CSV and Casey Grammar School Linkages**

The Child Safeguarding Record Keeping Policy and Procedures is to be read and understood in conjunction with:

- Child Safety Code of Conduct
- Child Safeguarding (Safety and Protection) Policy and Procedures
- Records Management Policy and Procedures, Casey Grammar School's general record keeping and record storage policies and procedures for meeting the Public Records Office Victoria's Record Keeping Standards



# Child Safeguarding Record Keeping Policy and Procedures

- Working with Children Checks Policy and Procedures
- Child Safeguarding Recruitment Policy and Procedures
- Child Safeguarding Training and Supervision Policy and Procedures
- Regular Reviews and Continuous Improvement Policies and Procedures

## Related Forms and Documents

- Department of Education and Training, Catholic Education Commission of Victoria and Independent Schools Victoria, [PROTECT Recording your actions: Responding to suspected child abuse - A Template for Victorian Schools](#)
- Department for Education, [Catholic Education Commission of Victoria and Independent Schools Victoria, PROTECT Responding to Suspected Student Sexual Offending - a Template for All Victorian Schools](#)
- WWCC Register
- Register Of Teachers
- Information Sharing Form
- Information Sharing Register

## References and Resources

### Records of Child Safety Incidents or Concerns and the School's Response

- [Ministerial Order 1359, Clause 11\(3\)\(h\)\(iii\)](#)
- Department of Education and Training, Catholic Education Commission of Victoria and Independent Schools Victoria, [PROTECT Four Critical Actions for Schools: Responding to Incidents, Disclosures or Suspicions of Child Abuse](#), 2018

### Records of Working with Children Check and Other Human Resources Documentation

- Ministerial Order 1359, Clauses 10(2)(d) and (e), and 10(4)
- Worker Screening Act 2020 (Vic)

### Records of Teacher Registration and VIT Notifications

- Education and Training Reform Act 2006 (Vic)

### Documenting Other Child Safeguarding Actions

- Wrongs Act 1958 (Vic)

# Child Safeguarding Record Keeping Policy and Procedures

## Policy Administration

<b>Status</b>	Subject to final Board Approval
<b>Person Responsible</b>	The Principal
<b>Approver(s)</b>	The CSV Board is responsible for ensuring that the policy and its procedures are reviewed and updated as needed, and for approving this policy
<b>Approval Date</b>	TBC
<b>Version Number</b>	1.0
<b>Version History</b>	Created 2022
<b>Review Frequency</b>	A review of this policy and its procedures is conducted at least every 2 years or earlier if required, such as due to changes in legislation
<b>Next Review Date</b>	January 2023
<b>Risk Rating</b>	High
<b>Location</b>	CompliSpace

one in the spirit